



ORIGINAL

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EX PARTE OR LATE FILED

Jeffrey A. Brueggeman  
Senior Attorney

July 10, 2000

Mr. Thomas J. Sugrue  
Bureau Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room 3C-207  
Washington, D.C. 20554

CC 94-102

RECEIVED

AUG 15 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: Wireless E911 Phase I Implementation in Washington State

Dear Mr. Sugrue:

Qwest Wireless, L.L.C. ("Qwest Wireless" formerly U S WEST Wireless, L.L.C.) hereby responds to the letter recently submitted by Marlys R. Davis, E911 Program Manager for King County Washington, regarding the current impasse over wireless E911 implementation in King County and other counties in Washington state. As one of the wireless carriers involved in the negotiations with the counties, Qwest Wireless is compelled to set the record straight and emphasize that it is ready and willing to provide E911 services in Washington state as soon as the counties are "capable of receiving and utilizing the data elements associated with the service," as required by the Federal Communications Commission's ("Commission") rules.<sup>1</sup>

In her letter, Ms. Davis asks the Commission to clarify whether the "funding of the network and data base components of Phase I service, and the interface of these components to the existing E911 system," are the responsibility of wireless carriers or Public Safety Answer Points ("PSAPs"). Ms. Davis' letter focuses primarily on the issue of whether wireless carriers are obligated to transmit E911 data in the form that traditionally has been used by wireline carriers. Specifically, the letter states that Phase I information transmitted from wireless carriers must be converted from 20 digits to eight digits, which is the format that is compatible with the Centralized Automatic Message Accounting ("CAMA") signaling used in wireline E911 networks. In addition, the letter asserts that wireless E911 databases must be configured to allow the Phase I information to interface with existing wireline E911 Automatic Location Identification ("ALI") databases. According to Ms. Davis, some wireless carriers have agreed to implement these network and database components, while other wireless carriers have agreed to such implementation only if the counties pay for their costs.

Qwest Wireless is ready and willing to implement the network and database components that will convert 20-digit E911 information to eight-digit information and allow its E911 Phase I information to interface with the counties' existing ALI databases. Indeed, Qwest Wireless

<sup>1</sup> 47 C.F.R. § 20.18(f).

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already has implemented such components as part of its Phase I service in other jurisdictions where it provides wireless service. Qwest Wireless is *not* seeking cost recovery for these components from the counties in Washington state, so this portion of Ms. Davis' letter does not appear to apply to Qwest Wireless.

However, Ms. Davis also contends that wireless carriers are obligated to provide the additional network and database components necessary to deliver Phase I service to the "existing E911 system" at no cost to the counties. According to Ms. Davis, PSAPs in King County and other counties in Washington state have satisfied the Commission's requirements for ordering Phase I services because they are capable of receiving and utilizing Phase I information "when it is transmitted through the existing E911 network and ALI data base." Qwest Wireless respectfully disagrees. Although it may not be clear from Ms. Davis' letter, the current impasse stems from the counties' persistent refusal to purchase the necessary facilities to link the PSAPs' existing E911 networks with wireless carriers' networks so that the counties have the capability to receive and utilize E911 data delivered from wireless carriers. Thus, the Commission's requirements for Phase I implementation have not been satisfied.

Ms. Davis asserts that some wireless carriers will not implement Phase I service unless the counties provide them with cost recovery. That certainly is not Qwest Wireless' position. Pursuant to the Commission's recent order eliminating the requirement that a cost recovery mechanism for wireless carriers be in place before a carrier is obligated to implement E911 services,<sup>2</sup> Qwest Wireless is willing to assume full responsibility for upgrading its own network to provide E911 services. However, Qwest Wireless is not required to bear the cost of upgrading the PSAPs' "existing E911 networks" in Washington state -- which were built to receive E911 data from wireline carriers -- so that they are capable of receiving and utilizing E911 data delivered from wireless carriers. While the Commission eliminated the cost recovery requirement for wireless carriers, it clearly held that a PSAP continues to be responsible for recovering its costs of receiving and utilizing the E911 data.<sup>3</sup> The Commission stated that the PSAP cost recovery requirement remains necessary "to ensure that carriers are not required to make unnecessary expenditures in response to a PSAP that is not ready to use the E911 information."<sup>4</sup> Accordingly, under the Commission's rules, Qwest Wireless is not required to upgrade its wireless network until the counties have obtained the necessary facilities to receive and utilize the E911 data.

As Ms. Davis acknowledges, network and database services traditionally have been considered elements of E911 service that are ordered by PSAPs from telecommunications companies. Such elements include the CAMA trunks that allow the PSAP to receive E911 data from the telecommunications company. These trunks are dedicated for the sole use of the PSAP and are used exclusively to deliver E911 data and connect to the ALI databases. It is important to note that in the case of wireline carriers providing E911 service, the cost of dedicated

<sup>2</sup> See *In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Second Memorandum Opinion and Order, 14 FCC Rcd. 20850, 20853 ¶ 4 (1999).

<sup>3</sup> *Id.* ¶ 5.

<sup>4</sup> *Id.* at 20879 ¶ 69.

Mr. Thomas J. Sugrue  
Federal Communications Commission  
July 10, 2000  
Page 3

facilities for receiving 911 data has always been borne by the PSAP. Qwest Wireless submits that nothing in the Commission's rules compels a different result for wireless carriers. In fact, Qwest Wireless would have to purchase the trunks from a wireline carrier on the counties' behalf in order to satisfy their request.

To confirm, Qwest Wireless is ready and willing to make E911 data available to the PSAPs in Washington state (in eight-digit format as the counties have requested) at an interface located at its switch or another reasonable location, but the PSAPs must be willing to assume responsibility for receiving the E911 data and transporting it to their control centers where it can be utilized. Any contrary result would discriminate against Qwest Wireless and other wireless carriers as compared to wireline carriers providing E911 services and, once again, would not comport with the Commission's rules.

If the Commission takes any action in response to Ms. Davis' letter, it should simply reaffirm that a wireless carrier is *not* obligated to provide Phase I service until such time as the PSAP has obtained the necessary facilities to receive and utilize E911 data from the wireless carrier's network. Qwest Wireless remains hopeful that this issue can be resolved quickly so that the affected counties in Washington state can receive the benefits of Phase I service.

Please do not hesitate to call if you have any questions or would like any additional information.

Respectfully submitted,

Jeffry A. Brueggeman

cc: Matt M. Middlebrooks, Jr.  
Elridge Stafford  
Marlys R. Davis

May 25, 2000

Thomas J. Sugrue  
Bureau Chief  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12<sup>th</sup> St. S.W.  
Washington, DC 20554

Dear Mr. Sugrue:

Pursuant to the Federal Communications Commission's November 18, 1999 Second Memorandum Opinion and Order, in the Matter of Revision to the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Section I, Paragraph 7, we are writing to request your assistance in resolving a conflict related to the implementation of wireless Phase I E911 service in Washington State.

King County, and several of the other counties in Washington State, have ordered Phase I service from the wireless carriers who offer service within the state. A copy of King County's order letter is attached for your reference. Since Washington State does not have a funding mechanism for Phase I and Phase II wireless E911 service, Phase I service has been ordered without carrier cost recovery under the November 18, 1999 Second Memorandum Opinion and Order, which removed the prerequisite that a cost recovery mechanism for carriers be in place before wireless carriers are obligated to provide Phase I service. Under the Order, PSAPs are required to be capable of receiving and utilizing the Phase I information before ordering the service. The PSAPs in King County and in the other counties in Washington State are capable of receiving the Phase I information over the existing E911 network, and displaying the information on the existing E911 equipment. Therefore, it is the assertion of King County that we have met the requirements for ordering Phase I service, and the wireless carriers are obligated to provide that service within six months of the orders.

Some of the wireless carriers have responded to the Phase I service orders by offering to implement the service only if the counties provides cost recovery for certain components of the Phase I service. King County and the other counties in Washington State disagree with their position for the following reasons. Traditionally, network and data base services have been considered to be elements of the E911 service that is ordered by PSAPs from telecommunications companies. Throughout the majority of the country, E911 system networks have been deployed using CAMA signaling, which restricts the number of digits that can be passed to eight digits. The Phase I information which is transmitted by the wireless carriers is 20 digits. Due to the impracticality of replacing the E911 networks throughout the entire country, various technologies have been specifically developed to convert the 20 digits of Phase I

information sent by the wireless carriers into a usable format that can be transmitted over the existing E911 networks to the PSAPs. These technologies have been deployed throughout the nation by

Thomas J. Sugrue

May 25, 2000

Page 2

wireless carriers as they implement Phase I service. In addition, there are data base components that must be implemented by the wireless carriers for Phase I service. A variety of wireless E911 data base services have been developed to allow the Phase I information to interface with the existing E911 Automatic Location Identification (ALI) data bases to display on existing PSAP E911 equipment. These data base services have also been deployed throughout the nation as part of Phase I service.

Some of the wireless carriers who have responded to our Phase I service orders have considered these network and data base components that are necessary for Phase I to be part of the service they deliver to the PSAPs, and will cover the cost of these components. Other carriers have agreed to implement the service only if the counties pay for some or all of these network and data base components.

King County and the other counties in Washington State contend that all of the carriers are obligated to provide the additional network and data base components necessary to deliver Phase I service, and the interface of these network and data base components to the existing E911 system, at no cost to the counties. In reading the Second Memorandum Opinion and Order, Section III, Paragraph 73, we believe the FCC made their intent on carrier cost recovery clear when they declared the Washington Attorney General request for a ruling on the State ANI law moot due to the removal of the carrier cost recovery requirement. The FCC refers to PSAPs being responsible to fund PSAP upgrades in order to receive and utilize the Phase I E911 information. King County and the other counties in Washington State who have implemented E911 service have installed equipment which is capable of receiving and utilizing the Phase I information when it is transmitted through the existing E911 network and ALI data base, utilizing the network and data base technologies that have been specifically developed for the delivery of Phase I service. King County has satisfied the requirements of the Order, and we believe that the wireless carriers must now meet their obligation under the Order to deliver the necessary components of Phase I service without cost recovery.

We look forward to your Bureau's assistance in resolving this conflict regarding the delivery of Phase I service to PSAPs by clarifying whether the funding of the network and data base components of Phase I service, and the interface of these components to the existing E911 system, are the responsibility of the wireless carriers or the PSAPs. We are anxious to implement this service and improve the level of E911 service that is provided to wireless phone users in King County and throughout Washington State, but are unable to do so until this conflict is resolved.

If you have any questions, please feel free to contact me at (206)296-3911.

Thank you for your assistance in this matter.

Sincerely,

Marlys R. Davis

E-911 Program Manager

Enclosure

February 17, 2000

Glenda Drizos  
Enhanced 9-1-1  
Sprint PCS  
11880 College Blvd., #1025  
Overland Park, KS 66210

Dear Ms. Drizos:

In accordance with the Federal Communications Commission (FCC) Report and Order on Enhanced 9-1-1 Emergency Calling Systems, Docket No. 94-102, I am writing to formally request that Phase I service, including the 10-digit Automatic Number Identification (ANI) and the location of the base station, cell site, or cell sector receiving the wireless 9-1-1 call, be delivered with 9-1-1 calls in King County. In order for Phase I service to be implemented for the King County PSAPs, your company must deliver the information to the US WEST 911 Selective Router in Seattle which provides service to our E-911 System.

The FCC Second Memorandum Opinion and Order adopted on November 18, 1999, removes the prerequisite that a cost recovery mechanism for carriers be in place before the wireless carrier is obligated to provide E-911 service in response to a PSAP service request. As a result, King County will not provide cost recovery to carriers for Phase I service. All King County PSAPs are equipped to receive and utilize the Phase I information. Under the FCC ruling, wireless carriers must provide Phase I service within six months of the request for service by the county.

Please provide me with the name and telephone number of the person who will be coordinating the planning and implementation of this service for your company.

If you have any questions, please feel free to contact me at 206-296-3911.

I look forward to working with your company to improve the quality of wireless E-911 service for your customers and the citizens of King County.

Sincerely,

Marlys R. Davis  
E-911 Program Manager

Cc: Bob Oenning, State E-911 Administrator





Post-It® Fax Note	7671	Date	6/2/00	# of pages	4
To	Kris Monteith	From	Marlys Davis		
Co./Dept.		Co.			
Phone #		Phone #	206-296-3911		
Fax #		Fax #			

**SPRINT PCS™**

Enhanced 911 Implementation  
11880 College Blvd., #1035  
Overland Park, KS 66210  
(913) 315-2442

March 27, 2000

Ms. Marlys Davis  
E - 911 Program Manager  
King County E - 911 Program Office  
Department of Information and Administrative Services  
7300 Perimeter Road, South, Room 128  
Seattle, WA 98106-3848

Dear Marlys:

This is to confirm receipt of your request for implementation of Phase 1 Enhanced Wireless 911 service in your public safety jurisdictional area. Sprint PCS welcomes the opportunity to begin working with you to bring the added benefits of this service to your agency and our subscribers.

As I'm sure you are aware the FCC, in its December 8, 1999, order, reaffirmed the finding that implementation of its E 911 schedule generally depends on the action of State and local authorities, and such actions would include adequately funding their PSAPs. The order also recognized that without adequate funding, PSAPs may not be able to finance expenditures required to upgrade their hardware or software capabilities to receive and use Phase 1 and Phase 2 information, as well as to finance recurring costs that may be associated with the additional network services required.

The establishment of Phase 1 Enhanced Wireless 911 service requires that wireless carriers provide the telephone number of the originator of a 911 call and the location of the cell site or base station receiving a 911 call to the designated Public Safety Answering Point through the use of ANI and Pseudo-ANI. It also requires that the public safety agency's 911 systems be capable of receiving and utilizing the 20 digits of information which provides the automatic number identification ("ANI") and automatic location information ("ALI") of the originating wireless caller. In its December 8<sup>th</sup> order the FCC deleted from its E 911 rules the specific condition that required a cost recovery mechanism for carriers to be in place before a wireless carrier is obligated to implement E 911. The FCC again emphasized that wireless carriers cannot fulfill their obligations unless and until the States' 911 systems are capable of receiving and utilizing the E911 information and that PSAPs must make whatever investments are necessary to achieve the capability of receiving and using the Phase 1 data in order to make a valid request for Phase 1 service. If your agency has already made the necessary investment or arrangements to upgrade its hardware and software, Sprint PCS is prepared to move forward with the engineering, planning and implementation processes required to deliver the 20 digit information stream to your 911 system via the existing LEC 911 selective router.

Sprint PCS' rates associated with providing the ANI and ALI information represents some of the additional network services required for your agency to be capable receiving and using the Phase 1 data and, as such, is a financial obligation that should be assumed by your agency. However, since Washington State has not yet specifically addressed the requirement for compensation to wireless carriers for providing the ANI and ALI information, Sprint PCS is willing to proceed without a financial commitment from your agency. We will continue to work toward establishing processes within the state to define the appropriate financial obligations to address this inequity.

If your 911 system has not been upgraded to directly receive the information and you require a third party provided data base for interfacing between Sprint PCS and your 911 system, to achieve the capability of receiving and using the Phase 1 data, additional costs will be incurred by your agency. The data base services, required to give your agency the capability of receiving and using the Phase 1 data, can be provided by any number of vendors including but not limited to the local exchange carriers, SCC Communication Corp., and XYPOINT. Sprint PCS also offers a product which provides these additional data base services. If the data base services are required, your agency can make arrangements directly with one of the vendors to utilize their data base or you can order this service arrangement from Sprint PCS. Sprint PCS' rate for its data base services product, if required and requested by your agency, is a monthly recurring charge of \$0.065 per active Sprint PCS subscriber with a billing address within your agency's service area. Billing for the service, if provided by Sprint PCS, will be established upon implementation and acceptance of Phase 1 service by your agency. The invoices would be sent to your agency, as the customer requesting and subscribing to the data base services, for payment.

Should you require the data base services and make your own arrangements directly with a vendor, you will need to advise Sprint PCS how and to where (within the Sprint PCS local serving area) it will be required to transmit the information and the type of transmission interface required for the 20 digit information stream to be passed from Sprint PCS through the data base system to your 911 system. In establishing the deployment schedule for Phase 1, the FCC found that standards would be established to enable the transmission of the additional ANI digits in Phase 1. The established standards supporting the transmission of the 20 digit information stream are identified as either a Feature Group D or Signaling System 7 (SS7) transmission method.

Sprint PCS prefers to implement Phase 1 utilizing the SS7 standard since it is a transmission method that will support the expanded requirements associated with Phase 2 Enhanced Wireless 911 service. Phase 2 requires Sprint PCS to transmit more accurate location information (ALI) regarding the originating wireless caller beginning October 1, 2001. While we prefer the SS7 transmission method, Sprint PCS is able to support the Feature Group D transmission method, if it supports your capabilities to receive the additional information and so long as the use of Feature Group D does not unreasonably extend call set up times.

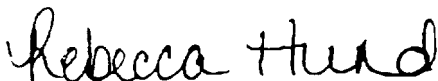
The implementation of Phase 1 service will require us to identify and exchange proprietary, confidential or trade secret information with you. Accordingly, it is important that we execute a non-disclosure agreement that protects the proprietary, confidential or trade secret information of both parties. Please have the enclosed non-disclosure agreement executed and returned to me.

Per our conversation, from Wednesday, March 22, 2000, it is my understanding that your agency is committed to working toward a statewide service agreement. Sprint PCS does not require a contract, however we will review and work with your processes to implement the requested Phase 1 Enhanced Wireless 911 service in King County.

I look forward to working with you in implementing this service within your public safety jurisdictional area.

Should you have any questions, please contact me

Sincerely,



Rebecca Hund  
E911 Implementation

Enclosure  
cc: SCC Communications Corporation



Michael D. Gallagher  
Managing Director  
Government Relations

AirTouch Communications  
1150 161st Avenue, S.E.  
Bellevue, WA 98008-1329

Telephone: 425 603-7968  
Facsimile: 425 603-7659

April 5, 2000

Ms. Marlys R. Davis  
E-911 Program Manager  
King County  
Emergency Management Division  
Department of Information and Administrative Services  
7300 Perimeter Road South, Room 128  
Seattle, WA 98108-3848

F: WA/E911

Dear Ms. Davis:

This letter responds to your letter of February 17, 2000 requesting AirTouch Communications (now Verizon Wireless) provide Phase I E-911 to King County. The goal of this communication is to outline Verizon's view of the law and to seek agreement on the manner and timing of implementation of the service.

First, I would like to clarify a few pieces of information regarding the FCC's Report and Order in Docket 94-102.

- The FCC did adopt the Second Memorandum Opinion and Order on November 18, 1999, as indicated. However, the Order was released on December 8, 1999 and does not become effective until 120 days after publication in the Federal Register.
- The Order was published in the Federal Register on December 29, 1999 and becomes effective on April 27, 2000. Until that date, any valid request for Phase I E911 service must provide a cost recovery mechanism for wireless carriers.
- Should you wish to request E-911 Phase I service under the existing FCC Order please advise Verizon accordingly, otherwise you will need to wait until April 27, 2000 or later to request E-911 Phase I service under the FCC regulations that will be in place at that time.
- At that time Verizon will have six (6) months from the date of your letter (April 27, 2000 or later) to comply with the provisions of the new regulations.
- Also, in accordance with the April 27, 2000 regulations, the FCC requires that PSAPs must have a cost recovery mechanism in place to ensure that PSAPs are capable of recovering their cost of the Phase I E-911 service. You will need to verify in writing that King County has such a cost recovery mechanism in place.



Michael D. Gallagher  
Managing Director  
Government Relations

AirTouch Communications  
3350 161st Avenue, S.E.  
Bellevue, WA 98008-1129

Telephone: 425 603-7968  
Facsimile: 425 603-7659

In accordance with the FCC rules that will apply to any post-April 27, 2000 request, Verizon will provide the Phase I E-911 data elements (ANI/ALI) at its demarcation point located at our South Seattle switch located at 6901 W. Marginal Way SW, in Seattle. It will be the responsibility of King County to contact the local exchange company (LEC) to arrange trunking and other LEC services to deliver the data elements to your PSAP point of interconnection.

The alternate proposal that could bring E-911 service to King County on an earlier schedule is to offer to shorten the time period if King County will take over the cost of the existing trunking that Verizon currently incurs from U.S. West for providing ANI service to King County. This proposal provides benefits to both Verizon and King County by helping to defray a portion of the cost Verizon is incurring and bringing the benefits of Phase I E-911 services to King County on an accelerated schedule. Verizon is very interested in your response to this suggestion.

Verizon has arranged for Glenn A. Roach, Director Public Safety, Xypoint Corporation to be our representative in further discussions on your request for E-911 service. He can be reached at (512) 377-3397, or mobile at (512) 413-2673. He can also provide assistance in the interaction between King County and the US West.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Gallagher".

Michael D. Gallagher  
Staff Vice President State & Area Public Policy.

cc: Bonnie Petti  
Glenn A. Roach

**KING COUNTY****\*\*\* E-911 PROGRAM OFFICE FAX \*\*\*****TO: Blaze Sinto, Deputy Chief, Policy Division****FROM: Marlys Davis, E-911 Program Manager****DATE: June 21, 2000****RE: Phase I Diagrams****FAX #: (206)296-3909****NO. OF PAGES: 3**

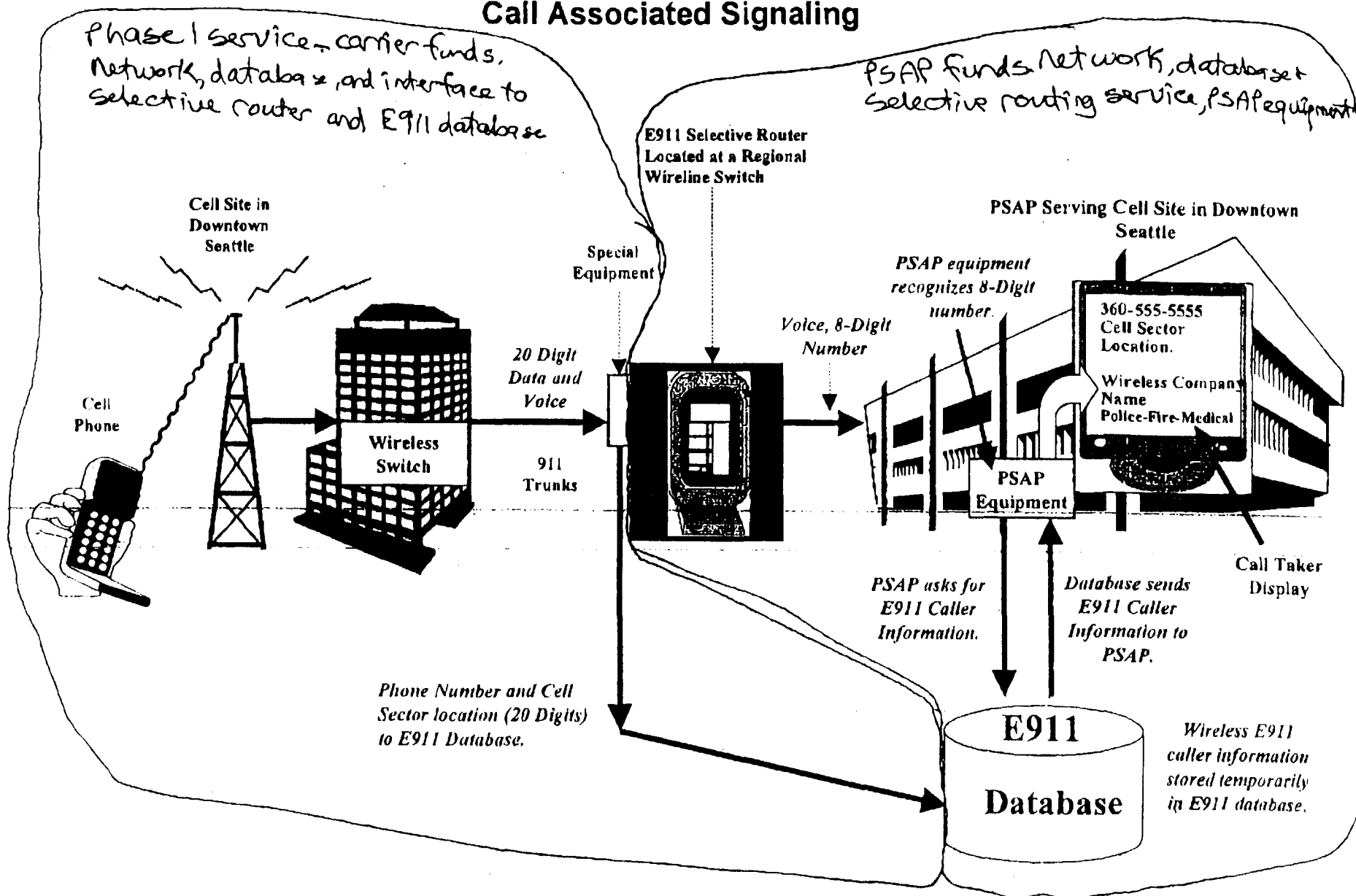
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The following are the CAS and NCAS diagrams for Phase I. I have drawn a box around the components that the PSAPs feel are the Carrier and PSAP funding responsibilities under the FCC ruling.

If you have any questions, please feel free to call me at (206)296-3911.

# Phase1

## Call Associated Signaling



# Phase1

## Non-Call Path Associated Signaling

